

1 BEFORE THE MISSOURI GAMING COMMISSION
2 STATE OF MISSOURI

3

4

5

6

7 MEETING
8 APRIL 29, 2015
9 9:00 a.m.

10 ST. CHARLES CITY HALL
11 COUNCIL CHAMBERS
12 200 North Second Street
13 ST. CHARLES, MISSOURI

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

1	INDEX	
2	AGENDA	PAGE
3		
4	Call to Order	5
5	Roll Call	5
6	Welcome by Mayor Sally Faith	5
7	Consideration of Minutes	
8	A. March 25, 2015	7
9	Consideration of Disciplinary Actions	
10	B. Casino One Corporation	
11	1. DC-15-132	8
12	C. Casino One Corporation	
13	1. DC-15-133	11
14	D. IOC-Boonville, Inc.	
15	1. DC-15-134	12
16	E. IOC-Cape Girardeau, LLC	
17	1. DC-15-135	20
18	F. IOC-Caruthersville, Inc.	
19	1. DC-15-136	24
20	G. Pinnacle Entertainment, Inc.	
21	1. DC-14-317	31
22	H. PNK (River City), LLC	
23	1. DC-14-319	31
24	Consideration of Relicensure of Certain Suppliers	
25	I. Aristocrat Technologies, Inc.	
26	1. Resolution NO. 15-029	44
27	J. NRT Technology Corporation	
28	1. Resolution No. 15-030	46
29	K. Interblock USA L.C.	
30	1. Resolution No. 15-031	48
31	L. Interblock d.d. Corporation	
32	1. Resolution No. 15-032	48
33	Consideration of Licensure of Level I/Key Applicants	
34	M. Resolution No. 15-033	51/72
35	Consideration of Waiver of Institutional Investor	
36	N. Stone House Capital Management, LLC	
37	1. Resolution No. 15-034	56
38	O. Raging Capital Management, LLC	
39	1. Resolution No. 15-035	59
40	Consideration of Petition for Modification of Change	
41	of Control Resolution	

1 INDEX (continued)

2	AGENDA	PAGE
3	1. Resolution No. 15-036	60
4	Consideration of Petition for Change of Control	
5	Q. Casino One Corporation and Tropicana St. Louis, LLC	
6	1. Resolution No. 15-037	64
7	Consideration of Settlement Agreement	
8	R. Harrah's North Kansas City, LLC	
9	1. Resolution No. 15-038	67
10	Motion for Closed Meeting under Sections 313.847, RSMo., Investigatory, Proprietary and Application Records and 610.021(1), RSMo., Legal Actions, (3) & (13) Personnel and (14) Records Protected from Disclosure by Law	71
11	Motion to Open Meeting	71
12	Adjournment	73
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

1 APPEARANCES:

2

MISSOURI GAMING COMMISSION BOARD MEMBERS:

3

Mr. Leland M. Shurin, Chairman
Mr. Thomas Neer, Board Member
Ms. Diane C. Howard, Board Member
Mr. Larry D. Hale, Board Member
Mr. Brian Jamison, Board Member

6

7

Mr. Bill Seibert, Executive Director
Ms. Angie Franks, Assistant to the Board

8

9

10 COUNSEL FOR THE BOARD:

11 Mr. Edward J. Grewach
General Counsel
12 Missouri Gaming Commission
3417 Knipp Drive
13 Jefferson City, MO 65102
(573) 526-1927

14

15

16 ALSO PRESENT: Mr. Joe Bednar, Attorney

17 Ms. Cheryl Alonzo
Assistant Dep. Director
18 of Enforcement
Missouri Gaming Commission

19

The Court Reporter:

20

Pamela K. Needham, IL CSR, MO CCR
21 Midwest Litigation Services
711 North 11th Street
22 St. Louis, MO 63101
314-644-2191

23

24

25

1 TRANSCRIPT OF PROCEEDINGS

2 * * * * *

3 (On the record at 9:00 a.m.)

4 CHAIRMAN SHURIN: The meeting will be
5 called -- will come to order. First is a, call the
6 roll for the agenda, please.

7 MS. FRANKS: Commissioner Neer.

8 COMMISSIONER NEER: Here.

9 MS. FRANKS: Commissioner Jamison.

10 COMMISSIONER JAMISON: Here.

11 MS. FRANKS: Commissioner Hale.

12 COMMISSIONER HALE: Here.

13 MS. FRANKS: Commissioner Howard.

14 COMMISSIONER HOWARD: Here.

15 MS. FRANKS: Chairman Shurin.

16 CHAIRMAN SHURIN: Present. We clearly
17 have an agenda here in St. Charles, Missouri.

18 EXECUTIVE DIRECTOR SEIBERT: Mr. Chair,
19 if you would, please, I'd like to introduce the
20 Honorable Mayor of St. Charles, Sally Faith, if
21 you'd like to say a few words.

22 MAYOR FAITH: Thank you. I think I know
23 you have a lot of things to do, but I would just
24 like to again welcome, some of you I have welcomed
25 individually, but I'd like to welcome you to the

1 city. Come any time, shop on Main Street, go to
2 Ameristar. Is that the right words to say? Right?

3 And, but just please do take -- enjoy
4 yourself. If you need anything, come any time, and
5 I need to get about the City's business, as Mr. Neer
6 told me. Right? So I'm going to work, and thank
7 you for coming. Come any time.

8 EXECUTIVE DIRECTOR SEIBERT: Mayor,
9 thank you.

10 CHAIRMAN SHURIN: Thank you for letting
11 us use this facility, it's a beautiful place.

12 Okay. I do want to take a moment, I
13 think the minutes of this meeting should reflect the
14 Commission's great appreciation for Kylie Dickneite
15 and what she did. I know that she was the
16 Department of Public Safety Employee of the Month in
17 April, and she is the intelligence analyst for this
18 Commission, and it was her insight and wisdom,
19 intelligence that brought about the arrest and
20 indictment of four foreign nationals who were -- by
21 federal authorities, as they were moving across the
22 country ripping off casinos. And interestingly, I
23 happened to read about it in the newspaper the day
24 of the arrest and the day after the arrest, and had
25 no knowledge or even thought that it was an employee

1 of this Commission who was the lead person in
2 discovering the illegal activities and helping to
3 lead to the capture. So I think -- I just want to
4 say how proud this Commission is of the fine work of
5 Kylie, and I think I speak for all the Commissioners
6 when I say that.

7 COMMISSIONER HOWARD: Oh, absolutely.

8 CHAIRMAN SHURIN: Okay, next order of
9 business.

10 EXECUTIVE DIRECTOR SEIBERT: We have the
11 consideration of the minutes.

12 CHAIRMAN SHURIN: I guess we should. Is
13 there a motion to approve the minutes of the, of the
14 last meeting March 25, 2015?

15 COMMISSIONER HOWARD: I move that we
16 approve the minutes of the last open meeting of the
17 25th of March, 2015.

18 COMMISSIONER NEER: I'll second.

19 CHAIRMAN SHURIN: Is there any
20 discussion on that motion?

21 (No discussion.)

22 CHAIRMAN SHURIN: Being none, Angie,
23 please call the roll for the vote.

24 MS. FRANKS: Commissioner Neer.

25 COMMISSIONER NEER: Approved.

1 MS. FRANKS: Commissioner Jamison.

2 COMMISSIONER JAMISON: Approved.

3 MS. FRANKS: Commissioner Hale.

4 COMMISSIONER HALE: Approved.

5 MS. FRANKS: Commission Howard.

6 COMMISSIONER HOWARD: Approved.

7 MS. FRANKS: Chairman Shurin.

8 CHAIRMAN SHURIN: Approved.

9 MS. FRANKS: By your vote you've adopted
10 the minutes of the March 25th, 2015, meeting.

11 EXECUTIVE DIRECTOR SEIBERT: Mr. Chair,
12 we now have this consideration of the disciplinary
13 actions, and Mr. Ed Grewach will present.

14 MR. GREWACH: Thank you, Mr. Seibert.
15 Commissioners, good morning.

16 The first item, Item B, is a Preliminary
17 Order of Discipline directed to Lumiere Place
18 Casino. This action arises out of problems they
19 encountered with their Trop Cash Multiplier
20 promotion which was held on November the 7th, 2014.
21 The rules of the promotion provided that the patrons
22 who were playing on that date receive ten times the
23 points that they would otherwise be eligible to
24 receive from their play. It also in the rules
25 provided that those points had to be added to the

1 patron's account within ten days of the date of the
2 promotion. In order to be eligible for the
3 promotion, the patron had to go to the Trop
4 Advantage counter, then the casino employee who was
5 working there had to take two steps. First, they
6 had to swipe the player's card into the Excel
7 spreadsheet, but then they also had to take some
8 steps to type in some entries into a computer to
9 what they call group the patron into the casino
10 tracking system.

11 This investigation began on November
12 24th, 2014, by a patron complaint in which he
13 indicated that he was not getting the correct amount
14 of points from that particular promotion. The
15 investigation revealed that the Players Club
16 representatives were taking the first step to swipe
17 the cards into the Excel spreadsheet, but were not
18 taking the second step to group the patrons into the
19 casino tracking system. The investigation
20 determined that 117 of the 1,025 patrons who would
21 have been eligible did not receive their points, and
22 the total of those points was \$2,126.25 cents.

23 The DRB, or the staff's Discipline
24 Review Board, recommended a fine of \$10,000. In the
25 licensee's response to that letter, they indicated

1 that they have retrained their employees in the
2 proper process to enter these types of promotions,
3 and then in addition, they have implemented a
4 process to create doublechecks to make sure that
5 employees, in fact, did this.

6 When we looked at the case, it appeared
7 that just about every Players Club representative at
8 one point or another failed to take both steps.
9 Questioning some of them, they didn't think the
10 second step was necessary, that it was more of a
11 marketing tool, and if they got busy they would just
12 swipe the card into the Excel spreadsheet. So we
13 saw it as initially more of a training issue, and
14 the DRB voted to keep the recommendation of a
15 \$10,000 fine.

16 CHAIRMAN SHURIN: Is there any -- a
17 motion to approve DC15-132?

18 COMMISSIONER HALE: So moved.

19 COMMISSIONER HOWARD: I'll second that
20 motion.

21 CHAIRMAN SHURIN: Is there any
22 discussion, or any questions?

23 (No discussion.)

24 CHAIRMAN SHURIN: Hearing none, Angie,
25 please call the roll for a vote.

1 MS. FRANKS: Commissioner Neer.

2 COMMISSIONER NEER: Approved.

3 MS. FRANKS: Commissioner Jamison.

4 COMMISSIONER JAMISON: Approved.

5 MS. FRANKS: Commissioner Hale.

6 COMMISSIONER HALE: Approved.

7 MS. FRANKS: Commissioner Howard.

8 COMMISSIONER HOWARD: Approved.

9 MS. FRANKS: Chairman Shurin.

10 CHAIRMAN SHURIN: Approved.

11 MS. FRANKS: By your vote you've adopted

12 DC-15-132.

13 MR. GREWACH: Under Tab C we also have a

14 Preliminary Order of Discipline directed to Lumiere

15 Place Casino. On November the 15th, 2014, a

16 security officer allowed two 20-year old twins onto

17 the gambling floor without checking their ID's. The

18 two minors were on the floor for one hour and forty

19 minutes. They contacted five other casino

20 employees, none of whom checked the patrons' ID's.

21 They consumed alcohol and gambled while on the

22 property, and the recommended fine is \$2,500.00.

23 CHAIRMAN SHURIN: Is there a motion on

24 DC-15-133?

25 COMMISSIONER HALE: I move that we

1 approve the recommendation relative to DC-15-133.

2 COMMISSIONER JAMISON: Second.

3 CHAIRMAN SHURIN: Is there any
4 discussion or questions?

5 (No discussion.)

6 CHAIRMAN SHURIN: There being none,
7 Angie, please call the roll for a vote.

8 MS. FRANKS: Commissioner Neer.

9 COMMISSIONER NEER: Approved.

10 MS. FRANKS: Commissioner Jamison.

11 COMMISSIONER JAMISON: Approved.

12 MS. FRANKS: Commissioner Hale.

13 COMMISSIONER HALE: Approved.

14 MS. FRANKS: Commissioner Howard.

15 COMMISSIONER HOWARD: Approved.

16 MS. FRANKS: Chairman Shurin.

17 CHAIRMAN SHURIN: Approved.

18 MS. FRANKS: By your vote you've adopted
19 DC-15-133.

20 MR. GREWACH: Under Item D we have
21 Preliminary Order of Discipline directed to Isle of
22 Capri-Boonville, involves repeat audit findings in
23 an audit, the report that was issued on December
24 16th, 2014, for an audit that covered a time period
25 from June of 2013 to August of 2014.

1 There were two findings in that report
2 which had also been noted as violations in a prior
3 audit which was concluded on August 23rd, 2013, and
4 which covered a time period from March of 2012 till
5 May of 2013.

6 The first violation involved a Minimum
7 Internal Control Standard D11.12. That rule
8 requires that all decks of cards removed from a
9 table game be counted down at the table to ensure
10 that no cards are missing. We require that to be
11 counted down at the table because then the
12 surveillance can also doublecheck that to make sure
13 that the count was done properly, and to make sure
14 that, in fact, no cards were missing.

15 In the prior audit it was also found to
16 have been a violation. When, when you go back to
17 the prior audit and the current one both, in every
18 audit, once they're finished, a report is given to
19 the, the licensee's staff, and then a formal audit
20 exit is performed where our auditors sit down with
21 their management and go over the issues, and the
22 management then has to present to us what their,
23 what their plan or... is to remedy the situation,
24 what steps they're going to take to remedy that
25 situation. And again, the current -- so the prior

1 audit found the problem, and the current audit also
2 found that two decks removed from a gaming table
3 were not counted down at the table, but were counted
4 down at the podium instead.

5 The second violation involves the
6 violation of Minimum Internal Control Standard
7 Q2.02. That rule requires that prior to making any
8 cash transaction at a cage, or prior to paying any
9 taxable jackpot, that the casino employees are
10 required to run two checks on the patron to make
11 sure they're not on the disassociate --
12 Disassociated Person List or the DAP List. The
13 first check is by first name and date of birth, the
14 second check is by last name and date of birth, and
15 the obvious purpose of doing the two checks is to
16 catch people whose last name has changed or possibly
17 first name is spelled incorrectly, just to narrow
18 down the possibilities that this person could be on
19 the DAP List.

20 In the prior audit, there was a finding
21 that both cage personnel and slot personnel were
22 using the Player Tracking System to do these checks
23 for people to see if they were on the DAP List, but
24 the Player Tracking System was not capable of doing
25 the two checks, it was merely a, a database and a

1 spreadsheet of everyone who they had listed on, on
2 their program as being in the, in the DAP program.
3 The follow-up to that audit found that, while the
4 cage personnel were, in fact, now using the MGC
5 System -- MGC has a searchable system which every
6 casino can access to make these two searches, but
7 still found that some of the slot personnel were
8 still using the Player Tracking System and not doing
9 the two checks as required.

10 And the current audit found that these
11 slot personnel were still using the Player Tracking
12 System and not MGC's System, and actually observed
13 two occasions where the payout of a taxable jackpot
14 was done without the proper search against the DAP
15 List. Now how that works is when a taxable jackpot
16 is hit, then the machine locks up, alarm goes out,
17 the slot technician's personnel, whoever it is at
18 the casino floor, will come and actually do what we
19 call a hand pay to the patron. So the machine won't
20 give the money if it's over the taxable amount,
21 \$1200.00. So that way when the employee comes, then
22 the employee can do a couple things, the employee
23 can do the two checks that we require under the DAP
24 rule, and it can fill out the paperwork for both the
25 IRS, the W-2G and the paperwork, and take the

1 withholding for the State tax. Now all that was
2 being done here, but I just want to kind of walk you
3 through what, what happens and when they do the
4 check, and they again on the this, on the current
5 audit, they were not doing the two checks required,
6 and the recommended fine is \$5000.00.

7 CHAIRMAN SHURIN: Is there a motion --

8 COMMISSIONER HOWARD: Now Ed, tell me
9 what would happen if there is a taxable payout and
10 the individual was found to be on the DAP List.

11 MR. GREWACH: At that point the rule
12 provides that the jackpot is voided. The wager is
13 returned to the patron, and, and the jackpot is
14 voided. So it's just as if that wager never took
15 place, and then the person, of course, at that point
16 is trespassing, they are written a citation and
17 escorted off the property.

18 COMMISSIONER HOWARD: So they get
19 their --

20 MR. GREWACH: At that point.

21 COMMISSIONER HOWARD: -- investment
22 back, but their, but their winnings are voided.

23 MR. GREWACH: Correct. If they put in a
24 dollar wager, say put in a \$5.00 wager and won
25 \$1200.00, and we came and found they were a DAP, we

1 would give them their \$5.00 -- or the casino would
2 give them their \$5.00 back, but void the \$1200.00
3 jackpot. And that, and the rule -- and that's what
4 the rule provides for in that situation.

5 COMMISSIONER HOWARD: If my memory
6 serves me correctly, one of the issues we had in the
7 past with using the Player Tracking List is we had a
8 situation where the casinos might have players
9 listed, for example, in two different names, a
10 maiden name and a current name and they might go on
11 the DAP List, and they might cancel them out in one
12 name, but not in the other. And we had that
13 situation arise before; am I correct?

14 MR. GREWACH: Yes, I believe that's
15 correct, yes.

16 COMMISSIONER HOWARD: And not using the
17 official list, which is our list.

18 MR. GREWACH: Correct. As I recall,
19 that case is a case of marketing to someone on the
20 DAP List.

21 COMMISSIONER HOWARD: Yes, but that
22 brought out that problem of not using, not using the
23 real list.

24 MR. GREWACH: Correct.

25 COMMISSIONER HOWARD: Not that we

1 couldn't make a similar mistake, but we want to
2 encourage, want to encourage, we hope we would not,
3 to use the real list.

4 MR. GREWACH: Yeah, we don't limit, we
5 don't require them to use the MGC's list, but the
6 rule, the language of the rule is to use the MGC
7 List or your player trackers -- tracking system if
8 it's capable of doing the two searches. So if you
9 have a Player Tracking System that can do all the
10 things the MGC List will do, you know, the rule
11 allows for that, but in this case the Player
12 Tracking System did not have that capability, so
13 that's the violation.

14 COMMISSIONER HOWARD: So they can use
15 their list if it does, if it mirrors what the MGC's
16 list can do.

17 MR. GREWACH: If it has all the
18 capabilities of doing the searches that are required
19 by the, the rule.

20 COMMISSIONER JAMISON: Did, did they
21 receive any penalty for the previous audit?

22 MR. GREWACH: I might call in Cheryl
23 Alonzo who's shaking her head, our Assistant Deputy
24 Director of Enforcement, but I don't see on the
25 priors that I'm looking at that there was any fine

1 on the prior audit.

2 MS. ALONZO: Hi, Cheryl Alonzo, Missouri
3 Gaming Commission. They would not -- these are just
4 repeat findings from that audit to this audit.

5 MR. GREWACH: Right.

6 MS. ALONZO: There might have been other
7 unrelated repeats from that time, I don't know, but
8 these particular items are just repeated audit to
9 audit.

10 COMMISSIONER JAMISON: Okay. Okay,
11 thanks.

12 CHAIRMAN SHURIN: Anybody have any
13 questions?

14 (No questions.)

15 CHAIRMAN SHURIN: Is there a motion to
16 approve DC-15-134?

17 COMMISSIONER NEER: Motion to approve
18 DC-15-134.

19 COMMISSIONER JAMISON: Second.

20 CHAIRMAN SHURIN: Angie, please -- is
21 there -- well, is there any other discussion about
22 this?

23 (No discussion.)

24 CHAIRMAN SHURIN: Okay. Angie, please
25 call the roll.

1 MS. FRANKS: Commissioner Neer.

2 COMMISSIONER NEER: Approved.

3 MS. FRANKS: Commissioner Jamison.

4 COMMISSIONER JAMISON: Approved.

5 MS. FRANKS: Commissioner Hale.

6 COMMISSIONER HALE: Approved.

7 MS. FRANKS: Commissioner Howard.

8 COMMISSIONER HOWARD: Approved.

9 MS. FRANKS: Chairman Shurin.

10 CHAIRMAN SHURIN: Approved.

11 MS. FRANKS: By your vote, you've

12 adopted DC-15-134.

13 MR. GREWACH: Under Tab E we have a

14 Preliminary Order of Discipline directed to Isle of

15 Capri-Cape Girardeau Casino for allowing patrons

16 through the Lone Wolf turnstyle after the turnstyle

17 should have been closed.

18 The background of this case is that this

19 particular turnstyle was opened after the casino

20 opened for operation. The Lone Wolf area

21 restaurant/bar is an area that is, during most of

22 the time only accessible from the casino floor, and

23 that's particularly the case when the casino first

24 opened. Then there's a large circular door that

25 connects the Lone Wolf area from the hallway, from

1 the walkway where the public would come in. And
2 when they proposed opening this turnstyle at the
3 Lone Wolf, you know, we expressed some concern to
4 them that, you know, how are they are going to make
5 sure that people, you know, we get the accurate
6 count, that once they open that door to open the
7 Lone Wolf area to the public, they're going to make
8 sure they've had that area cleared so that we're not
9 getting an incorrect count on the patrons that are
10 involved. So we had them file some very specific,
11 and you'll see those in the preliminary order, very
12 specific internal controls which address all those
13 issues. So it has been an issue that we have
14 addressed with them and looked at in the past.

15 So they send us the times when this
16 particular turnstyle is going to be opened and
17 closed. So this turnstyle is not opened and closed
18 all the time the casino is opened, so it's just
19 specific hours on specific days.

20 So on July 25th, 2014, they sent us
21 information indicating that the Lone Wolf turnstyles
22 would close at 10 p.m. on Sundays. Then we received
23 a turnstyle report from them on 9-21-2014 that
24 indicated that that turnstyle had incremented or
25 seven people, by seven, seven people had gone

1 through that turnstyle after 10 p.m. on that date.

2 Now also as background there is a prior
3 incident similar to this on April the 5th, 2014,
4 where a patron was allowed through the Lone Wolf
5 turnstyle after that turnstyle was closed. In that
6 case, at the October commission meeting, the
7 Commission assessed a \$2,500.00 fine against the
8 casino. In this case, the staff Discipline Review
9 Board recommended a fine of \$5000.00.

10 The property's response to that is that
11 they had met with their personnel and reiterated
12 the, the importance of keeping those turnstyles
13 closed and not letting people through during times
14 it had closed. They also said that they didn't
15 believe that this should be considered a second
16 offense, because it happened because the fine
17 assessed at the October meeting was after the
18 September 21st incident that took place there at the
19 property.

20 It was the DRB's position that they were
21 aware of the problem when it occurred, and as a
22 matter of fact, there are emails back and forth
23 between the Commission citing the problem to them
24 and expressing our concern about the problem on
25 April 30th, 2014, and response emails from the

1 property to us discussing the problem. So it was a
2 problem they were aware of in April of 2014.
3 Granted, they didn't know what their fine was going
4 to be until October of 2014. So given that, the
5 DRB's vote was to continue the recommendation of the
6 \$5000.00 fine.

7 CHAIRMAN SHURIN: Thank you. Any
8 questions?

9 (No questions.)

10 CHAIRMAN SHURIN: Is there a motion to
11 approve DC-15-135?

12 COMMISSIONER JAMISON: I move to approve
13 DC-15-135.

14 COMMISSIONER HALE: Second.

15 CHAIRMAN SHURIN: Any discussion on the
16 motion?

17 (No discussion.)

18 CHAIRMAN SHURIN: Hearing none, Angie,
19 please call the roll.

20 MS. FRANKS: Commissioner Neer.

21 COMMISSIONER NEER: Approved.

22 MS. FRANKS: Commissioner Jamison.

23 COMMISSIONER JAMISON: Approved.

24 MS. FRANKS: Commissioner Hale.

25 COMMISSIONER HALE: Approved.

1 MS. FRANKS: Commissioner Howard.

2 COMMISSIONER HOWARD: Approved.

3 MS. FRANKS: Chairman Shurin.

4 CHAIRMAN SHURIN: Approved.

5 MS. FRANKS: By your vote, you've
6 adopted DC-15-135.

7 MR. GREWACH: Under Tab F we have a
8 Preliminary Order of Discipline directed to Isle of
9 Capri-Caruthersville.

10 In this case a cage cashier named Hall
11 stole money from the cage at least 12 times
12 utilizing various methods in a time period from
13 August 23rd of 2014 through October the 1st of 2014.
14 The investigation found that there was a lack of
15 supervision, which was a contributing factor in
16 giving this employee the opportunity to steal that
17 many times over that time period. Also, further
18 determined separately through the investigation that
19 there were supervisors who were sharing their
20 passwords with employees, which is another violation
21 of a separate rule, and that there were errors in
22 the way that even exchange slips were handled at the
23 property. The issue, other than the fact it's a
24 violation of the rule, with sharing the password is
25 there's certain things that only a supervisor can

1 do, override a denial of a coupon or, you know,
2 there are just certain things we expect that we
3 delegate and limit to the supervisory level of
4 persons, and if they, if they give their password to
5 the employee, then the employee can circumvent the
6 supervisor and, and approve a coupon for payment, or
7 whatever, whatever it is they're going to do,
8 without the supervisor's involvement.

9 The error on the even exchange slip was
10 a little more technical when the money is -- let's
11 say we're taking chips to a cage and we're going to
12 exchange those chips for dollars. The person taking
13 the chips fills out what they believe they have in
14 chips. The person at the cage then is to count them
15 also, and then write down how much money they're
16 giving back. So this is all a tracking system so we
17 can balance and make sure the money, the accounting
18 all works out. And then there are -- there are
19 variances sometimes, there are differences. And
20 what they're supposed to do under the rule is take
21 that original form, line through it, correct it,
22 initial it, and then it goes, it gets distributed
23 various places to accounting and, and then the rules
24 are various places that gets distributed to.

25 What they were doing in this case was,

1 when that happened, when there was this difference
2 of variance, they would just discard the old form
3 and fill out a new one from scratch, and then not
4 send it to accounting. So we were losing that
5 ability to check and investigate and have accounting
6 check and balance these transactions. The DRB
7 recommended a fine of \$5000.00. There was -- the
8 company's response was that they had procedures in
9 place to prevent theft, but they just had an
10 employee who intentionally circumvented those
11 procedures. Now they admitted the violation of
12 sharing of the passwords, and they made no comment
13 on the errors in the even exchange slip problem.

14 The staff looked at this and, and
15 when -- and looked at the evidence and saw that
16 when, during times when there was a supervisor
17 around, during times there were maybe patrons at the
18 window, or in this particular case the cashier was
19 training a new employee, there would be no theft
20 during that time period, so we saw it as a lack of
21 supervising for the theft part, and also there
22 really wasn't any rebuttal for the other two
23 violations. So the DRB voted to keep its
24 recommendation of a \$5000.00 fine.

25 CHAIRMAN SHURIN: Okay, are there any

1 questions?

2 (No questions.)

3 CHAIRMAN SHURIN: Is there a motion to
4 approve DC-15-136?

5 COMMISSIONER HALE: I move to approve
6 DC-15-136.

7 COMMISSIONER JAMISON: Second.

8 CHAIRMAN SHURIN: Any discussion on that
9 motion?

10 COMMISSIONER HOWARD: Well, I, I know
11 that the recommendation has been for a \$5000.00
12 fine, but I do have some, I will pose it I guess the
13 proper time actually is at the point of discussion,
14 in light of the, the many incidents that occurred
15 and the fact that it appears that these were
16 contributed to, it appears substantially by a lack
17 of oversight, and those would appear also to be
18 substantially contributed to the fact that
19 supervisor's passwords were available, and the
20 individual who's the perpetrator was able to get
21 into computers and use the supervisor's passwords,
22 it is the DRB's position that a \$5000.00 fine is
23 appropriate?

24 MR. GREWACH: That, that was our
25 analysis. The -- and a lot of factors went into

1 that, you know, it -- we were concerned, as you are,
2 about the timeframe over which this happened. And
3 you could probably highlight that by the fact of how
4 it got caught. Because when there is any variance
5 in a drawer, when somebody steals, there's going to
6 be a variance, you know, the money's not going to
7 add up, and then a variance slip is, is generated.
8 And that's how this got caught, because there were
9 two variances at the same cage window at a very
10 short time period. So that particular supervisor
11 then said, called surveillance and said: Hey, I've
12 got this suspicious activity, I've got these two
13 variances happening at the same cage at the same, in
14 a relatively short time period. They went to
15 surveillance and they actually saw the employee bend
16 over the drawer and put a \$20.00 bill up her sleeve,
17 and then that's what launched the investigation from
18 there.

19 COMMISSIONER HOWARD: If I'm to
20 understand, it, it was more than one cashier that
21 would -- that had access to supervisors' passwords.

22 MR. GREWACH: That is correct. There
23 was more than one cashier. Now I will say that we
24 don't have any evidence of any wrongdoing from those
25 events other than -- we don't have any evidence that

1 anybody used that to steal anything.

2 COMMISSIONER HOWARD: I, I understand,
3 but my concern is that there was, you know, the fact
4 that, that subordinates do not have the passwords of
5 supervisors is, is, the fact that that is the case,
6 it's the case for a reason.

7 MR. GREWACH: Yes.

8 COMMISSIONER HOWARD: Even if there was
9 not theft as a result, there's, there's a reason.

10 MR. GREWACH: Yes.

11 CHAIRMAN SHURIN: Is there just one
12 supervisor's password that was known?

13 MR. GREWACH: If I could have just a
14 minute.

15 CHAIRMAN SHURIN: Sure.

16 COMMISSIONER HOWARD: At which does not
17 seem to be the case in paragraph H, if I'm to read
18 that correctly, the cashiers would enter their
19 supervisors', plural, passwords, pass --
20 supervisors', plural, passwords. So if I'm reading
21 that correctly.

22 MR. GREWACH: I -- we know of two
23 supervisors, Nixon and Creason, from the report, who
24 shared passwords. Those, in the investigation we
25 did discover those two.

1 COMMISSIONER HOWARD: Well, I'll, I'll
2 respect, I know the DRB does their investigation and
3 puts much thought into the recommended, the
4 recommendation as to the \$5000.00, but I, I'm, I
5 don't expect there to be any need to read between
6 the lines as to how serious I think an incident like
7 this is, as far as lack of oversight when we're
8 dealing with individuals at the casino that are
9 cashiers, you know, can be a \$20.00 bill, but this
10 could have been an extraordinarily serious incident.

11 MR. GREWACH: The total of the theft
12 that we could track amounted to \$130.00. The
13 employee pled guilty in Pemiscot County to
14 misdemeanor stealing, received a one-year suspended
15 execution of sentence and two years unsupervised
16 probation.

17 COMMISSIONER HOWARD: Well, Lady Luck
18 was very lucky. Very lucky. I don't have anything
19 further.

20 CHAIRMAN SHURIN: Okay. Anything else?

21 (No discussion.)

22 CHAIRMAN SHURIN: Okay, Angie, please
23 call the roll.

24 MS. FRANKS: Commissioner Neer.

25 COMMISSIONER NEER: Approved.

1 MS. FRANKS: Commissioner Jamison.

2 COMMISSIONER JAMISON: Approved.

3 MS. FRANKS: Commissioner Hale.

4 COMMISSIONER HALE: Approved.

5 MS. FRANKS: Commissioner Howard.

6 COMMISSIONER HOWARD: Approved.

7 MS. FRANKS: Chairman Shurin.

8 CHAIRMAN SHURIN: Approved.

9 MS. FRANKS: By your vote, you've
10 adopted DC-15-136.

11 MR. GREWACH: I would like,
12 Mr. Chairman, with your permission, to present items
13 G and H together, they're related against -- one's
14 against Pinnacle, and one's against River City,
15 and these are First Amended Preliminary Orders. And
16 the -- as a background, this case involved a
17 promotion, and at the time in 2012, Pinnacle owned
18 both Lumiere and River City in Missouri, and other
19 properties in, in the Midwest, as well. They ran a
20 promotion called the My Choice My Millions
21 promotion. There was an employee, Shannon Hoffman,
22 who worked for Pinnacle, and she received a call
23 from the Belterra property in Indiana, which was a
24 Pinnacle property, that patrons were receiving twice
25 the amount of points that they should under that

1 particular promotion. Without checking to see if
2 the same problem existed in Lumiere and River City,
3 she called Lumiere and River City and instructed
4 both of them to adjust their system to cut the
5 points in half, and that occurred in April, April
6 the 20th, of 2012, and the promotion had started on
7 April the 1st, 2012. The -- but in fact, it was not
8 a problem at Lumiere and River City, and by cutting
9 the points in half in some, I don't, I don't know
10 how many of the commissioners, I know Commissioner
11 Howard was here when the Shannon Hoffman case was
12 heard, so she's familiar with those facts, resulted
13 in approximately 5000 patrons not receiving the
14 appropriate amount of points.

15 COMMISSIONER HOWARD: Different computer
16 program.

17 MR. GREWACH: The --

18 COMMISSIONER HOWARD: As I recall.

19 MR. GREWACH: Exactly, yes.

20 COMMISSIONER HOWARD: They had a
21 different computer program on one end.

22 MR. GREWACH: And no one on either end,
23 Pinnacle or River City -- Lumiere is no longer an
24 issue, because again, they've been sold to, to
25 Tropicana, so they're not involved in this, in this

1 case. We didn't get any notice from Pinnacle or
2 River City until November 30th, 2012, when the
3 problem -- when it was discovered that the people
4 were actually getting only half of their points.

5 So the Commission, on August 28th, 2014,
6 entered a Preliminary Order of Discipline arising
7 out of this incident. The property requested a
8 hearing, and that hearing is now pending before our
9 hearing officer Charles Steib. In reviewing the
10 pleadings and in preparation for this potential,
11 this upcoming hearing process, we felt we needed to
12 clarify and expand the allegations in the
13 preliminary order, so we filed a Motion to Amend the
14 preliminary order with Hearing Officer Steib.
15 Mr. Steib granted that motion on February 24th,
16 2015, and this resolution is simply to complete that
17 process to formalize the approval and the action
18 that Mr. Steib took on that date, and Joe Bednar,
19 Attorney for Pinnacle and River City, is also here
20 today.

21 CHAIRMAN SHURIN: Welcome, Mr. Bednar.

22 MR. BEDNAR: Good morning, Mr. Chairman,
23 and commissioners.

24 Yes, and we would object, there's not a
25 basis in the rules for an amendment of an order, and

1 in the midst of the process. There is a specific
2 procedure to follow when you bring a Preliminary
3 Order of Discipline, or notice as such. In addition
4 in this particular case, the Motion For Leave to
5 file the Amended Order stated the basis was merely
6 to clarify statutory references as a -- at a spoken
7 date. They went beyond that, they added additional
8 factual allegations, violations and regulatory
9 references to which the basis -- it's basically a
10 new... a new... new order completely.

11 So having no provision in the rules for
12 this process, we would object, number one, to an
13 amended order, and we would move, as we did with the
14 hearing officer, to dismiss the original preliminary
15 order, because the filing of the amended order would
16 make the case that, in fact, there was no basis for
17 discipline in the amended order. Both properties,
18 both Pinnacle and River City, previously paid a fine
19 in regard to the allegations surrounding the My
20 Choice My Millions. This appears to be new and
21 centered around a notice issue from the facts that,
22 or the new facts that were added to the new amended
23 order.

24 So again, to summarize, there's no rule,
25 the Commission has not adopted any rule that would

1 allow for provision of an amendment of a preliminary
2 order, and in fact, the actual amendment -- amended
3 order goes beyond the relief requested in the
4 original motion. So we'd ask for that to be done on
5 those, those two cases. And we await for a decision
6 on the Commission. Counsel, thanks.

7 MR. GREWACH: Thank you, Joe. I would
8 like to respond.

9 The rule, Chapter 13 involving hearings,
10 is silent on the issue altogether. You know, you're
11 looking at a rule that's four or five pages long,
12 it's not like the rule of civil procedures you have
13 in a circuit court, it's, it anticipates the
14 relatively informal process. I don't think there's
15 any court or tribunal that you would find that would
16 not allow amended pleadings at this stage at any
17 time, but particularly at this stage of the
18 proceeding. There's been no discovery done, but,
19 but the, the main fact here is that the hearing
20 officer has approved our motion to file this, and
21 this case is with the hearing officer. We filed
22 this Amended Preliminary Order just out of an
23 abundance of caution, because we thought well, if we
24 don't do this, then Mr. Bednar may come back later
25 and say: Well, you didn't have the Commission

1 approve an amended preliminary order, so, and now
2 that we say we want an amended preliminary order,
3 Mr. Bednar is saying: Well, you can't do that
4 either. So I'm not sure exactly what their, the
5 licensee's position is, is it that preliminary
6 orders can never be amended? Is it that the hearing
7 officer should not have approved our motion? But if
8 that's the case, that's something he needs to go
9 take up with, with Mr. Steib, because that's in
10 Mr. Steib's jurisdiction at this point in time, to
11 conduct the procedural aspects of that.

12 So we would ask for a resolution
13 approving the Amended Preliminary Order on these two
14 cases.

15 CHAIRMAN SHURIN: Are there any
16 questions?

17 COMMISSIONER JAMISON: Yeah, I've got a
18 question as, the, you're presenting these two cases
19 together, what is the difference between the two of,
20 amount of fines between the two? If I'm reading
21 that correctly, it's 110 and 140?

22 MR. GREWACH: It was an evaluation at
23 staff level of the culpability of the two parties.
24 The Pinnacle employee, Shannon Hoffman, directed
25 River City to make this change. There are two

1 things about that at this point in time. One is at
2 that time on April 20th, she had facts that led her
3 to believe that between April 1st and April 20th,
4 that there had been a problem with a promotion.
5 That triggers a reporting requirement to us, which
6 she didn't do. The River -- and she didn't check
7 with River City to see can, can you all check and
8 see if there is a problem, you're having the same
9 problem Belterra did. River City's fault in this is
10 they didn't do the check themselves. I mean they
11 get instructions from their parent company saying
12 change this, we still think it was incumbent on them
13 to go and say: Well, let's look at this. You know,
14 let's look and see if, in fact, people -- because
15 it's a fairly easy check to run, see if people are
16 really getting twice the points that they are
17 supposed to get. And so in short, that was it,
18 Commissioner Jamison, is the view at the staff level
19 of the culpability of the two companies.

20 CHAIRMAN SHURIN: Okay. Any other
21 questions? Joe.

22 MR. BEDNAR: Just, it's important to
23 remember that the two properties and Ms. Hoffman
24 have previously been disciplined for the
25 circumstances surrounding the mistake in the

1 computer error. Should also, since we're getting
2 into the facts, Ms. Hoffman actually contacted the
3 software designer for Ballys to ask them what she
4 should do, and they recommended that she make the
5 changes that she did.

6 The issues of notice is really where I
7 think they're headed, which really merge into your
8 original -- would have merged into the original
9 disciplinary proceeding as brought against all three
10 licensees. And so it would serve as a further basis
11 to dismiss this -- or not approve this amended order
12 and, further, dismiss the underlying preliminary
13 order, because then you get, you get into issues of
14 the merger of the facts with the case that could
15 have been brought at the earlier time, and you set a
16 precedent that you can, the staff can bring
17 subsequent violations by not including all the
18 violations at the time of the original discipline.
19 If, if the point is to address the procedures of the
20 licensees that they follow, all of those violations
21 should be addressed in the original action and not
22 be brought before the Commission in a piecemeal
23 fashion two to three years later. And that's where
24 we're at now, three years after the alleged
25 violation -- more than three years after the alleged

1 violation which -- of notice issued would be I think
2 inappropriate at this time, and further violate
3 other potential statutes and rules.

4 COMMISSIONER HOWARD: We're not
5 considering any of those factual --

6 MR. BEDNAR: Right.

7 COMMISSIONER HOWARD: -- things at this
8 point. Most of which I remember very well, the
9 conference in New Orleans and -- am I correct? Am I
10 remembering?

11 MR. BEDNAR: They -- she had reached out
12 to their other properties in Louisiana, and that's
13 correct, but he --

14 COMMISSIONER HOWARD: Yeah, but we don't
15 have --

16 MR. BEDNAR: -- but he got into the
17 facts, Commissioner, so --

18 COMMISSIONER HOWARD: -- we don't have
19 to be rehashing this --

20 MR. BEDNAR: I agree.

21 COMMISSIONER HOWARD: -- conference in
22 New Orleans, and talking to the guy from Ballys
23 and --

24 MR. BEDNAR: I agree.

25 COMMISSIONER HOWARD: -- the emails and

1 all.

2 MR. BEDNAR: Agreed.

3 COMMISSIONER HOWARD: Because those
4 things are all before Mr. Steib --

5 MR. BEDNAR: Right.

6 COMMISSIONER HOWARD: -- at this point.

7 MR. BEDNAR: Correct.

8 COMMISSIONER HOWARD: Mr. -- that's,
9 that's the forum that you're before right now.

10 MR. BEDNAR: Correct.

11 COMMISSIONER HOWARD: Not us.

12 MR. BEDNAR: Right.

13 COMMISSIONER HOWARD: Am I correct?

14 MR. BEDNAR: They were just giving the
15 facts, so I just wanted to give a little balance.

16 COMMISSIONER HOWARD: This matter is not
17 before us at this point.

18 MR. BEDNAR: Correct.

19 COMMISSIONER HOWARD: Mr., and before
20 Mr. Steib is an issue involving amending the
21 pleadings and we're scriveners, is that...

22 MR. GREWACH: Mr. Steib has approved the
23 filing of the Amended Preliminary Order. So if Mr.
24 Bednar were to say: Well, the Commission doesn't
25 have to enter a resolution for a preliminary order,

1 that's fine, but if we don't do this, then we run
2 the risk of Mr. Bednar will come back and say:
3 Well, this amended order isn't really valid, because
4 it wasn't entered by the Commissioners. So that's
5 why I, again, out of the abundance of caution I'm
6 bringing this, and this just completes what we've
7 already got permission from Mr. Steib to do.

8 CHAIRMAN SHURIN: Is this specific --
9 are these specific First Amended Preliminary Orders,
10 were they approved by Mr. Steib or, did he just
11 generally approve an amended?

12 MR. GREWACH: I believe, if you look at
13 the filings, the amended orders were attached to the
14 motion --

15 MR. BEDNAR: She included a signature
16 line for the Judge to approve within her Certificate
17 of Service. So as opposed to having a separate
18 order, she filed her Motion For Leave and had her
19 Certificate of Service -- her signature block, the
20 Certificate of Service, and then below the signature
21 block for the Certificate of Service was her entry
22 for an order of the Judge. She filed it
23 electronically February 20th, he approved it
24 February 24th before we even had time to respond.

25 COMMISSIONER HOWARD: But the... but

1 the... the proposed amended order was included --

2 MR. BEDNAR: Correct.

3 COMMISSIONER HOWARD: -- in the motion.

4 MR. BEDNAR: That's correct.

5 COMMISSIONER HOWARD: And he approved
6 for that.

7 MR. BEDNAR: That's correct.

8 CHAIRMAN SHURIN: I think we ought to,
9 for motion purposes, take each of these as a
10 separate motion.

11 MR. GREWACH: I would agree with that,
12 Chairman Shurin, yes.

13 CHAIRMAN SHURIN: Okay. Is there a
14 motion to approve DC-14--- I'm sorry, DC-14-317?

15 COMMISSIONER HOWARD: I'll make a motion
16 we approve DC-14-317.

17 COMMISSIONER NEER: I'll second.

18 CHAIRMAN SHURIN: Okay. Any discussion
19 on that motion?

20 (No discussion.)

21 CHAIRMAN SHURIN: Angie, would you
22 please call the roll for a vote?

23 MS. FRANKS: Commissioner Neer.

24 COMMISSIONER NEER: Approved.

25 MS. FRANKS: Commissioner Jamison.

1 COMMISSIONER JAMISON: Approve.

2 MS. FRANKS: Commissioner Hale.

3 COMMISSIONER HALE: Approved.

4 MS. FRANKS: Commissioner Howard.

5 COMMISSIONER HOWARD: Approved.

6 MS. FRANKS: Chairman Shurin.

7 CHAIRMAN SHURIN: Approved.

8 MS. FRANKS: By your vote, you've

9 adopted DC-14-317.

10 CHAIRMAN SHURIN: Okay. Is there a

11 motion to approve DC-14-319?

12 COMMISSIONER HALE: So moved.

13 COMMISSIONER HOWARD: I'll second.

14 CHAIRMAN SHURIN: Any discussion on that

15 motion?

16 (No discussion.)

17 CHAIRMAN SHURIN: Hearing none, Angie,

18 please call the roll.

19 MS. FRANKS: Commissioner Neer.

20 COMMISSIONER NEER: Approved.

21 MS. FRANKS: Commissioner Jamison.

22 COMMISSIONER JAMISON: Approved.

23 MS. FRANKS: Commissioner Hale.

24 COMMISSIONER HALE: Approved.

25 MS. FRANKS: Commissioner Howard.

1 COMMISSIONER HOWARD: Approved.

2 MS. FRANKS: Chairman Shurin.

3 CHAIRMAN SHURIN: Approved.

4 MS. FRANKS: By your vote you've adopted
5 DC-14-319.

6 EXECUTIVE DIRECTOR SEIBERT: Next, Mr.
7 Chair, we have Consideration of Relicensure of
8 Certain Suppliers, and from the Missouri State
9 Highway Patrol, Sergeant Geoff Borlinghaus will
10 present.

11 SERGEANT BORLINGHAUS: Good morning,
12 Mr. Chairman, Commissioners.

13 COMMISSIONER HOWARD: Good morning.

14 CHAIRMAN SHURIN: Good morning.

15 SERGEANT BORLINGHAUS: Item I is
16 Aristocrat Technologies, Incorporated.
17 Investigators from the Missouri State Highway Patrol
18 and Missouri Gaming Commission conducted the
19 relicensing investigation of Aristocrat
20 Technologies, Incorporated, which has been licensed
21 in Missouri since July, 2009. These investigations
22 consisted of jurisdictional inquiries, feedback from
23 gaming company clients, a review of disciplinary
24 actions, litigation and business credit profiles, as
25 well as a review of the key persons associated with

1 each company. A Comprehensive Summary Report
2 detailing the results of this investigation was
3 submitted to the Missouri Gaming Commission staff,
4 and a copy of that Summary Report has been provided
5 for your review.

6 Investigating officers are available to
7 answer any questions that you may have at this time.
8 This is Resolution Number 15-029, by the way.

9 CHAIRMAN SHURIN: Thank you, Sergeant.
10 Are there any questions of the Sergeant?

11 (No questions.)

12 CHAIRMAN SHURIN: No questions. Is
13 there a motion to approve Resolution 15-029?

14 COMMISSIONER JAMISON: I move for
15 approval of Resolution 15-029.

16 COMMISSIONER NEER: Second.

17 CHAIRMAN SHURIN: Any discussion?

18 (No discussion.)

19 CHAIRMAN SHURIN: Hearing none, Angie,
20 please call the roll for a vote.

21 MS. FRANKS: Commissioner Neer.

22 COMMISSIONER NEER: Approved.

23 MS. FRANKS: Commissioner Jamison.

24 COMMISSIONER JAMISON: Approved.

25 MS. FRANKS: Commissioner Hale.

1 COMMISSIONER HALE: Approved.

2 MS. FRANKS: Commissioner Howard.

3 COMMISSIONER HOWARD: Approved.

4 MS. FRANKS: Chairman Shurin.

5 CHAIRMAN SHURIN: Approved.

6 MS. FRANKS: By your vote, you've
7 adopted Resolution Number 15-029.

8 SERGEANT BORLINGHAUS: The next item, J,
9 is Resolution Number 15-030 is NRT Technology
10 Corporation, and investigators from the Highway
11 Patrol and the Missouri Gaming Commission also
12 conducted a relicensing investigation of NRT
13 Technology Corporation, which has been licensed in
14 Missouri since April of 2009. These investigations
15 also consisted of jurisdictional inquiries, feedback
16 from gaming company clients, a review of
17 disciplinary actions, litigation and business credit
18 profiles, as well as a review of key persons
19 associated with each company and a comprehensive
20 report detailing that investigation and those
21 results was submitted to the Missouri Gaming
22 Commission Staff, and a copy of that investigation
23 is available there to you. The investigating
24 officers are present and available for any
25 questions.

1 EXECUTIVE DIRECTOR SEIBERT: And Mr.

2 Chair, staff does recommend approval as to the
3 prediscipline. I failed to say that. Thank you.

4 CHAIRMAN SHURIN: Thank you.

5 SERGEANT BORLINGHAUS: Sorry about that.

6 CHAIRMAN SHURIN: Are there any
7 questions of the Sergeant?

8 (No questions.)

9 CHAIRMAN SHURIN: Hearing none, then is
10 there a resolution -- is there a motion to approve
11 Resolution 15-030?

12 COMMISSIONER NEER: Motion to approve
13 Resolution 15-030.

14 COMMISSIONER HALE: Second.

15 CHAIRMAN SHURIN: Any discussion?

16 (No discussion.)

17 CHAIRMAN SHURIN: Hearing none, Angie,
18 please call the roll for a vote.

19 MS. FRANKS: Commissioner Neer.

20 COMMISSIONER NEER: Approved.

21 MS. FRANKS: Commissioner Jamison.

22 COMMISSIONER JAMISON: Approved.

23 MS. FRANKS: Commissioner Hale.

24 COMMISSIONER HALE: Approved.

25 MS. FRANKS: Commissioner Howard.

1 COMMISSIONER HOWARD: Approved.

2 MS. FRANKS: Chairman Shurin.

3 CHAIRMAN SHURIN: Approved.

4 MS. FRANKS: By your vote, you've
5 adopted Resolution Number 15-030.

6 SERGEANT BORLINGHAUS: Mr. Chairman,
7 Commissioners, Item K and L are, one is Interblock
8 USA, LLC, the, and Item L is Interblock d.d.
9 Corporation, which are related, and the
10 investigation was conducted at the same time, so if,
11 if we could, for consideration of Resolution Number
12 15-031 and 15-032, I'll read, cover both of those at
13 the same time, if that is okay.

14 CHAIRMAN SHURIN: Sure.

15 SERGEANT BORLINGHAUS: So investigators
16 from the Patrol and the Gaming Commission conducted
17 the relicensing investigation of both of these
18 companies, both Interblock d.d. and Interblock USA
19 LLC, which have been licensed in Missouri since
20 August of 2010. These investigations also consisted
21 of jurisdictional inquiries, feedback from Gaming
22 Company clients, a review of disciplinary actions,
23 litigation, and business credit profiles, as well as
24 a review of the key persons associated with each of
25 those companies. A Comprehensive Summary Report

1 detailing the results of those investigations was
2 submitted to the Missouri Gaming Commission staff,
3 and a copy of that Summary Report or those Summary
4 Reports are available to you and provided for your
5 review. The investigating officers are present if
6 you have any questions. Thank you.

7 EXECUTIVE DIRECTOR SEIBERT: Mr. Chair,
8 the Staff does recommend...

9 CHAIRMAN SHURIN: I was going to ask.
10 Are there any questions? On either of these?

11 (No questions.)

12 CHAIRMAN SHURIN: Okay, then I'll
13 entertain a motion to approve Resolution 15-031.

14 COMMISSIONER HALE: So moved.

15 COMMISSIONER NEER: Second.

16 CHAIRMAN SHURIN: Any discussion?

17 (No discussion.)

18 CHAIRMAN SHURIN: Hearing none, Angie
19 please call the roll.

20 MS. FRANKS: Commissioner Neer.

21 COMMISSIONER NEER: Approved.

22 MS. FRANKS: Commissioner Jamison.

23 COMMISSIONER JAMISON: Approved.

24 MS. FRANKS: Commissioner Hale.

25 COMMISSIONER HALE: Approved.

1 MS. FRANKS: Commissioner Howard.

2 COMMISSIONER HOWARD: Approved.

3 MS. FRANKS: Chairman Shurin.

4 CHAIRMAN SHURIN: Approved.

5 MS. FRANKS: By your vote, you've
6 adopted Resolution Number 15-031.

7 CHAIRMAN SHURIN: Okay, the Chair will
8 entertain a resolution -- a motion to approve
9 Resolution 15-032.

10 COMMISSIONER JAMISON: Move for approval
11 of Resolution 15-032.

12 COMMISSIONER HALE: Second.

13 CHAIRMAN SHURIN: Any discussion?

14 (No discussion.)

15 CHAIRMAN SHURIN: There being none,
16 Angie, please call the roll for a vote.

17 MS. FRANKS: Commissioner Neer.

18 COMMISSIONER NEER: Approved.

19 MS. FRANKS: Commissioner Jamison.

20 COMMISSIONER JAMISON: Approved.

21 MS. FRANKS: Commissioner Hale.

22 COMMISSIONER HALE: Approved.

23 MS. FRANKS: Commissioner Howard.

24 COMMISSIONER HOWARD: Approved.

25 MS. FRANKS: Chairman Shurin.

1 CHAIRMAN SHURIN: Approved.

2 MS. FRANKS: By your vote, you've
3 adopted Resolution Number 15-032.

4 EXECUTIVE DIRECTOR SEIBERT: Next, Mr.
5 Chair, we have Consideration of Licensure of Level I
6 and Key Applicants, and Missouri State Highway
7 Patrol Trooper John Masters will present.

8 TROOPER JOHN MASTERS: Good morning,
9 Mr. Chairman and Commissioners. Missouri State
10 Highway Patrol investigators, along with MGC
11 financial investigators, conducted comprehensive
12 background investigations on Multiple Key and Level
13 I applicants.

14 The investigations included, but were
15 not limited to, criminal, financial, and general
16 character inquiries which were made in the
17 jurisdictions where the applicants lived and worked.

18 The following individuals are being
19 presented for your consideration. Ronald Congemi,
20 Director for Global Cash Access. Dhiren Fonseca,
21 Director for Caesars Acquisition Company. David
22 Hayes, IOC Cape Surveillance Manager. Andrei
23 Scrivens, Managing Director for Z Capital
24 Management. Ronen Stauber, Director for Caesars
25 Entertainment Operation Company.

1 The results of these investigations were
2 provided to the Gaming Commission Staff for their
3 review, and you have all related Summary Reports
4 before you.

5 Thank you.

6 CHAIRMAN SHURIN: Are there any
7 questions of this matter?

8 Are these, are any of these applicants
9 here?

10 MR. GREWACH: Mr. Hayes is here. I
11 indicated to Mr. Hayes it was going to be the
12 Staff's recommendation that, that all of these
13 applications be approved.

14 CHAIRMAN SHURIN: Are there any, any
15 question, any questions on any of these
16 applications?

17 (No questions.)

18 CHAIRMAN SHURIN: Is there a motion to
19 approve Resolution 15-033?

20 COMMISSIONER HALE: So moved.

21 COMMISSIONER NEER: Second.

22 CHAIRMAN SHURIN: Ed, is -- I guess I
23 don't understand to some degree, is this a, some of
24 this a personnel matter that should be handled in a
25 closed session or what?

1 MR. GREWACH: If, if the Commission has
2 concerns or believes that any of these individuals
3 should not be licensed, then it's always my
4 recommendation that those issues be discussed in
5 closed. The Confidential Summary Reports that we
6 give to you are by statute under 313.847 closed
7 records, because they involve application and
8 investigatory materials, and so if you get to one of
9 these and you look at the list and say, well, I'm
10 not sure about this person, or these two persons,
11 then I'm going to recommend -- then I would
12 recommend at that point in time that the matter be
13 tabled and we go into closed session to discuss
14 those concerns, because as investigators, we have
15 access to information that the general public does
16 not, and that by virtue of us being a regulator, we
17 can. So the difficulty with discussing items in the
18 confidential Summary Reports in an open forum is
19 that we're then talking about things that otherwise
20 the individuals may have a right to privacy to.

21 So now, on the other hand, if there are
22 no concerns, and it's the feeling of the
23 commissioners that the, all the individuals should
24 be licensed, it would simply be a matter of moving,
25 seconding and approving the resolution.

1 COMMISSIONER JAMISON: I have some
2 questions from one of the reports.

3 COMMISSIONER HOWARD: Might we table
4 this entire matter to closed session if there are
5 questions regarding one of the reports?

6 MR. GREWACH: That would be my
7 recommendation, and then we can discuss it in the
8 closed session and then come, when we come back into
9 open, vote on this resolution then at that point in
10 time.

11 CHAIRMAN SHURIN: So do we need a
12 resolution -- a motion for, to hold this for a
13 closed session?

14 COMMISSIONER HOWARD: We just move it,
15 we just move it to Item X at, Roman Numeral X, that
16 we have a closed session for personnel.

17 COMMISSIONER JAMISON: So move to table
18 this until then?

19 COMMISSIONER HOWARD: Yeah, move it down
20 to Roman Numeral X. We plan to go into closed
21 session including personnel issues, and this -- and
22 this would fit under 610.021 Subsection 13.

23 MR. GREWACH: And also 313.847. Because
24 it's not an employee of ours.

25 COMMISSIONER HOWARD: Oh, that's right,

1 it's not an employee of ours.

2 MR. GREWACH: Right.

3 COMMISSIONER HOWARD: Which is Sub-13.

4 MR. GREWACH: It's an application
5 investigatory --

6 COMMISSIONER HOWARD: It's 313.847,
7 right.

8 MR. GREWACH: Application investigatory,
9 correct.

10 COMMISSIONER HOWARD: Correct, 313.847
11 investigatory. We already have that in Roman
12 Numeral X on the agenda, so we move those down to...

13 MR. GREWACH: You could either do that,
14 or just make a motion to table this item until after
15 the closed session, and then we'd keep them in the
16 order that they're in on the agenda.

17 COMMISSIONER HOWARD: I would, I'll so
18 move that we table this Roman Numeral V to
19 consideration during our closed session, and we'll
20 make an announcement as to this, these -- this item
21 after we return to open session.

22 COMMISSIONER JAMISON: I'll second the
23 table of the motion, or tabling of the resolution.

24 CHAIRMAN SHURIN: Angie, please call the
25 roll for that.

1 MS. FRANKS: Commissioner Neer.

2 COMMISSIONER NEER: Approved.

3 MS. FRANKS: Commissioner Jamison.

4 COMMISSIONER JAMISON: Approved.

5 MS. FRANKS: Commissioner Hale.

6 COMMISSIONER HALE: Approved.

7 MS. FRANKS: Commissioner Howard.

8 COMMISSIONER HOWARD: Approved.

9 MS. FRANKS: Chairman Shurin.

10 CHAIRMAN SHURIN: Approved.

11 MS. FRANKS: By your vote, you've tabled

12 Item 5 until after the closed session meeting.

13 EXECUTIVE DIRECTOR SEIBERT: Next, Mr.

14 Chair, we have Consideration of Waiver of

15 Institutional Investor, and Mr. Ed Grewach will

16 present.

17 MR. GREWACH: Under Tab N, we have a

18 petition for waiver of an institutional investor on

19 behalf of Stone House Capital Management, LLC.

20 Again, the background for this is our Rule 4.020

21 requires that any company that holds a 5 percent or

22 more interest in a licensee is required to apply for

23 a Key Business Entity License. The same rule allows

24 a company to petition, as this company has, for an

25 institutional investor waiver. There are certain

1 conditions on obtaining that waiver, one is that the
2 company can never obtain more than 20 percent in any
3 one licensee, they have to certify to us under oath
4 that they're taking this stock as a passive
5 investment purposes only, that they will have no
6 involvement at all in the management of the
7 licensee, and that they have no intention of
8 controlling the licensee. The MGC Staff has
9 reviewed the application and the filings and have
10 found in our opinion that the applicant has met the
11 requirements of the rule.

12 CHAIRMAN SHURIN: Is there any -- are
13 there any questions?

14 (No questions.)

15 CHAIRMAN SHURIN: Okay, I'm sorry, I'm
16 reading this and I'm... if I'm correct, the, what
17 you just said is the investor group cannot manage or
18 take operational control, is that correct?

19 MR. GREWACH: That's correct.

20 CHAIRMAN SHURIN: And I'm looking at the
21 resolution, itself, and I'm not seeing -- maybe I'm
22 reading through it some way, but I'm not seeing that
23 specific language. Do we not put that specific
24 language in --

25 COMMISSIONER JAMISON: Well, isn't it in

1 paragraph 4, and then paragraph 5 says if they do
2 want to be -- have an intention of controlling, they
3 have to notify...

4 MR. GREWACH: I think if you look at the
5 fourth and fifth "whereas," I believe that language
6 appears in those two paragraphs.

7 CHAIRMAN SHURIN: Okay. I just read
8 through it, I'm sorry. I just missed it as I'm
9 reading it.

10 Okay, any questions?

11 (No questions.)

12 CHAIRMAN SHURIN: And no questions. Is
13 there a motion to approve Resolution 15-034?

14 COMMISSIONER JAMISON: I move for the
15 approval of Resolution 15-034.

16 COMMISSIONER HOWARD: I'll second that
17 motion.

18 CHAIRMAN SHURIN: Any discussion on that
19 motion?

20 (No discussion.)

21 CHAIRMAN SHURIN: If there's none,
22 Angie, please call the roll for a vote.

23 MS. FRANKS: Commissioner Neer.

24 COMMISSIONER NEER: Approved.

25 MS. FRANKS: Commissioner Jamison.

1 COMMISSIONER JAMISON: Approved.

2 MS. FRANKS: Commissioner Hale.

3 COMMISSIONER HALE: Approved.

4 MS. FRANKS: Commissioner Howard.

5 COMMISSIONER HOWARD: Approved.

6 MS. FRANKS: Chairman Shurin.

7 CHAIRMAN SHURIN: Approved.

8 MS. FRANKS: By your vote, you adopted
9 Resolution Number 15-034.

10 MR. GREWACH: Tab O is a similar
11 application by Raging Capital Management, LLC, for a
12 Waiver for an Institutional Investor. Again, the
13 staff has reviewed the petition and all the
14 appropriate filings, and it's our opinion that they
15 have met the requirements of the rule.

16 CHAIRMAN SHURIN: Any questions on this?

17 (No questions.)

18 CHAIRMAN SHURIN: If none, is there a
19 motion to adopt Resolution 15-035?

20 COMMISSIONER HALE: So moved.

21 COMMISSIONER JAMISON: Second.

22 CHAIRMAN SHURIN: Any discussion?

23 (No discussion.)

24 CHAIRMAN SHURIN: None. Angie, please
25 call the roll for a vote.

1 MS. FRANKS: Commissioner Neer.

2 COMMISSIONER NEER: Approved.

3 MS. FRANKS: Commissioner Jamison.

4 COMMISSIONER JAMISON: Approved.

5 MS. FRANKS: Commissioner Hale.

6 COMMISSIONER HALE: Approved.

7 MS. FRANKS: Commissioner Howard.

8 COMMISSIONER HOWARD: Approved.

9 MS. FRANKS: Chairman Shurin.

10 CHAIRMAN SHURIN: Approved.

11 MS. FRANKS: By your vote, you adopted

12 Resolution Number 15-035.

13 EXECUTIVE DIRECTOR SEIBERT: Next, Mr.

14 Chair, we have Consideration of Petition for

15 Modification of Change of Control Resolution, and

16 Mr. Ed Grewach will present.

17 MR. GREWACH: Under P we have a Petition

18 for Modification of a Change of Control Resolution

19 filed by SPH Investment, LLC. The background again,

20 under the rule, if a company acquires more than 5

21 percent of a licensee, they need to become a Key

22 Business Entity. Before they acquire 25 percent of

23 interest in a licensee, they have to file and have

24 approved a Petition for Change of Control. Now we

25 set that percentage at 25 rather than 50, because

1 the reality of a corporate setting here is that you
2 can control a corporation owning less than 50
3 percent, given proxies, and shareholder agreements,
4 and other things that could arise. This amount is
5 set, there's no particular science into setting this
6 amount, but it is similar to what other states do,
7 it is in the range of what other states do when they
8 consider a change of control.

9 So they've done that; they've come to us
10 and they have, and they obtained on August 21st,
11 2013, a approval for petition of change of control.
12 Now at that point in time, for every other
13 case, that would be the last step in the process,
14 because once you've obtained that petition for
15 change of control, there's no other regulation you
16 have to meet after that.

17 This case was unique in that there are,
18 in their acquiring interest in Affinity Gaming. And
19 Affinity has loan covenants and bond covenants that
20 are triggered... at the time of the first approval
21 they were triggered if any one investor owned more
22 than 40 percent shares of the company. So in the
23 prior resolution we granted the change of control
24 but put a limitation in there saying you could not
25 obtain more than 40 percent without coming back to

1 the Commission and getting approval for that,
2 because it was our concern we didn't want to approve
3 something that would then trigger some default or
4 bonds being called due and adversely affect
5 Affinity, which is our Class A licensee, who owns
6 the two riverboats in St. Joseph, Missouri, and La
7 Grange, Missouri. So amendments have been made to
8 the bond covenants increasing that threshold to 50
9 percent. So this petition would modify the prior
10 resolution, and to bump that number up to 50
11 percent, that they could acquire up to 50 percent
12 without having to come back to get additional
13 approval from the Commission.

14 As you may recall, this is the same
15 petition and resolution that we approved on behalf
16 of Z Capital Partners on, at the February meeting,
17 because Z Capital and Silver Point, SPH, are both
18 entities that own more than 25 percent of Affinity
19 Gaming. So we're basically doing the same thing
20 here that we did for Z Capital back in February.
21 And as a matter of fact, I drafted the resolution to
22 mirror the one we did for Z Capital.

23 CHAIRMAN SHURIN: Okay. Are there any
24 question on this?

25 (No questions.)

1 CHAIRMAN SHURIN: Is there a motion to
2 approve Resolution 15-036?

3 COMMISSIONER NEER: Motion to approve
4 Resolution 15-036.

5 COMMISSIONER HOWARD: I'll second that
6 motion.

7 CHAIRMAN SHURIN: Any discussion?

8 (No discussion.)

9 CHAIRMAN SHURIN: There being none,
10 Angie, please call the roll for a vote.

11 MS. FRANKS: Commissioner Neer.

12 COMMISSIONER NEER: Approved.

13 MS. FRANKS: Commissioner Jamison.

14 COMMISSIONER JAMISON: Approved.

15 MS. FRANKS: Commissioner Hale.

16 COMMISSIONER HALE: Approved Commission.

17 MS. FRANKS: Commissioner Howard.

18 COMMISSIONER HOWARD: Approved.

19 MS. FRANKS: Chairman Shurin.

20 CHAIRMAN SHURIN: Approved.

21 MS. FRANKS: By your vote, you've
22 adopted Resolution Number 15-036.

23 EXECUTIVE DIRECTOR SEIBERT: Next, Mr.
24 Chair, is Consideration of Petition for Change of
25 Control. Mr. Ed Grewach will present.

1 MR. GREWACH: This is a Joint Petition
2 for Approval of Change of Control by Casino One
3 Corporation and Tropicana St. Louis, LLC.

4 When Tropicana purchased the Lumiere
5 Place Casino, instead of doing an asset purchase and
6 putting the assets into a new LLC that they had
7 formed, they purchased the stock of the existing
8 Casino One Corporation, which was the corporation
9 that Pinnacle had formed to operate the property.
10 They now want to transfer all the assets to
11 Tropicana St. Louis, LLC, which again, is an LLC
12 that's wholly owned, operated, and formed by our
13 Class licensee Tropicana Entertainment,
14 Incorporated. They intend to accomplish this by a
15 merger. And in the merger, Casino One Corporation
16 will be dissolved, and the surviving entity of the
17 merger will be Tropicana St. Louis, LLC, which will
18 own all the assets of the Lumiere Place Casino and
19 hold the license, current license that's held by the
20 casino.

21 Now Tropicana St. Louis, LLC, again, is
22 a wholly owned subsidiary of Tropicana
23 Entertainment, and they're already licensed with us
24 as a Key Business Entity, so there really was
25 minimal investigation or review that we needed to

1 do, and in that, the staff has found no problems or
2 concerns with the approval of this petition.

3 COMMISSIONER HOWARD: If I'm
4 understanding, the bottom line is the license is an
5 asset.

6 MR. GREWACH: The license is an asset.

7 COMMISSIONER HOWARD: And the asset is
8 being transferred in association with this merger.

9 MR. GREWACH: That's correct.

10 COMMISSIONER HOWARD: So... so if it's
11 just being moved from one entity to another, we have
12 to approve it as a change of control.

13 MR. GREWACH: That's correct, right.
14 There have been cases where a licensee has just
15 changed the format, the form in which it does
16 business. Let's say it wants, this company wants to
17 change from a corporation to an LLC, but this is
18 being done actually in a merger.

19 COMMISSIONER HOWARD: In a merger,
20 right.

21 MR. GREWACH: Where the company that
22 currently holds the license won't exist at the end
23 of the merger, so...

24 COMMISSIONER HOWARD: Right. It's
25 disappearing.

1 MR. GREWACH: The practical effect of
2 it, too, is this will keep Tropicana on its current
3 licensing schedule. Because when they first granted
4 the license, the first term's one year, then there's
5 a second one-year term, and then we go on to
6 four-year terms after that. So instead of going
7 back to zero and starting that whole process again,
8 they're just picking up where they're at in the
9 licensing process. So it's really, other -- it's
10 the form of the transaction that required this
11 approval to take place, because it was a merger, and
12 not just a change in the format of the business
13 entity.

14 COMMISSIONER HOWARD: I understand, it's
15 not just a change in the name.

16 MR. GREWACH: Correct.

17 COMMISSIONER HOWARD: The licensee is
18 disappearing.

19 MR. GREWACH: Correct.

20 CHAIRMAN SHURIN: Okay. Any other
21 questions?

22 (No questions.)

23 CHAIRMAN SHURIN: Is there a motion to
24 approve Resolution 15-037?

25 COMMISSIONER HOWARD: I'll move for the

1 approval of Resolution Number 15-037.

2 COMMISSIONER HALE: Second.

3 CHAIRMAN SHURIN: Any discussion on the
4 motion?

5 (No discussion.)

6 CHAIRMAN SHURIN: There being none,
7 Angie, please call roll for a vote.

8 MS. FRANKS: Commissioner Neer.

9 COMMISSIONER NEER: Approved.

10 MS. FRANKS: Commissioner Jamison.

11 COMMISSIONER JAMISON: Approved.

12 MS. FRANKS: Commissioner Hale.

13 COMMISSIONER HALE: Approved.

14 MS. FRANKS: Commissioner Howard.

15 COMMISSIONER HOWARD: Approved.

16 MS. FRANKS: Chairman Shurin.

17 CHAIRMAN SHURIN: Approved.

18 MS. FRANKS: By your vote, you've
19 adopted Resolution Number 15-037.

20 EXECUTIVE DIRECTOR SEIBERT: Next item,
21 Mr. Chair, is Consideration of Settlement Agreement.
22 Mr. Ed Grewach.

23 MR. GREWACH: Tab R is the Consideration
24 of the Approval of a Settlement Agreement with
25 Harrah's of North Kansas City.

1 This arises out of a case where the
2 facility's manager had a vendor bill the company,
3 Harrah's, for work that the employee had done at his
4 septic tank at his residence. And then because he
5 was the facility operations manager, he could then
6 approve the payment when the bill came in to the
7 property.

8 The information from the vendor, vendor
9 was received by Harrah's on March 3rd, 2014. They
10 didn't notify us until March 18th, 2014. Now their
11 position is that the information they had at the
12 time when they first got a phone call from the
13 vendor was not sufficient enough to give them reason
14 to believe that a violation of law had taken place,
15 and that once they had investigated and found that
16 the violation, in fact, had taken place, that, that
17 they did report it at that point in time. So that's
18 the dispute that gives rise to us settling the case.
19 Of course, a settlement under the rules is subject
20 to the Commission approval, and in the settlement,
21 Harrah's will pay \$10,000 to us, we put a specific
22 timeframe on when that payment would be received,
23 and when that occurs, we're going to withdraw the
24 preliminary discipline, which I believe was a
25 two-day suspension against one individual who we had

1 accused of not reporting it in the chain of, of
2 events. There were other Level II licensees and a
3 Level I licensee who were disciplined and actually
4 served their suspensions, and it was their position
5 that this particular individual wouldn't have known
6 he had a duty to, to report or thought his superiors
7 would have done so, and that... and we require in
8 the settlement that the payment be received within
9 45 days of the approval by the Commission, and
10 Harrah's attorney, Jennifer Tucker, is here today,
11 if you have any questions.

12 CHAIRMAN SHURIN: Welcome. Are there
13 any questions?

14 (No questions.)

15 CHAIRMAN SHURIN: Okay. Is there a
16 motion to approve Resolution 15-038?

17 COMMISSIONER JAMISON: I move for
18 approval of Resolution 15-038.

19 COMMISSIONER HOWARD: I'll second that
20 motion.

21 CHAIRMAN SHURIN: Any discussion on the
22 motion?

23 (No discussion.)

24 CHAIRMAN SHURIN: Hearing none, is
25 there -- Angie, please call the roll for a vote.

1 MS. FRANKS: Commissioner Neer.

2 COMMISSIONER NEER: Approved.

3 MS. FRANKS: Commissioner Jamison.

4 COMMISSIONER JAMISON: Approved.

5 MS. FRANKS: Commissioner Hale.

6 COMMISSIONER HALE: Approved.

7 MS. FRANKS: Commissioner Howard.

8 COMMISSIONER HOWARD: Approved.

9 MS. FRANKS: Chairman Shurin.

10 CHAIRMAN SHURIN: Approved.

11 MS. FRANKS: By your vote, you've

12 adopted Resolution Number 15-038.

13 CHAIRMAN SHURIN: Okay, is there a

14 motion to...

15 COMMISSIONER HOWARD: I'll make a --

16 I'll give the Chair a, our Chair a break and make a

17 motion that we move into a closed meeting under

18 various sections of the Revised Statutes of

19 Missouri, Section 313.847 for Investigatory,

20 Proprietary, and Application Records, and Section

21 610.021 Subsection 1 for Legal Action, Subsections 3

22 and 13 for Personnel Matters, and Subsection 14,

23 which is for Records Protected from Disclosure by

24 Law.

25 CHAIRMAN SHURIN: That was so well said.

1 COMMISSIONER JAMISON: Second.

2 COMMISSIONER HOWARD: And first time
3 I've ever had to do that.

4 CHAIRMAN SHURIN: Okay. Angie, please
5 call the roll.

6 MS. FRANKS: Commissioner Neer.

7 COMMISSIONER NEER: Approved.

8 MS. FRANKS: Commissioner Jamison.

9 COMMISSIONER JAMISON: Approved.

10 MS. FRANKS: Commissioner Hale.

11 COMMISSIONER HALE: Approved.

12 MS. FRANKS: Commissioner Howard.

13 COMMISSIONER HOWARD: Approved.

14 MS. FRANKS: Chairman Shurin.

15 CHAIRMAN SHURIN: Approved.

16 MS. FRANKS: Okay.

17 CHAIRMAN SHURIN: So we will adjourn for
18 a closed meeting. We're off the record.

19 (Off the record at 10:19 a.m. for closed session.)

20 (Recess.)

21 (Back on the record at 11:06 a.m.)

22 CHAIRMAN SHURIN: So we open the meeting
23 back into session. Do we need a motion to reopen
24 specifically?

25 MS. FRANKS: No, we'll just need to call

1 the roll.

2 CHAIRMAN SHURIN: Okay. Please do.

3 MS. FRANKS: Commissioner Neer.

4 COMMISSIONER NEER: Present.

5 MS. FRANKS: Commissioner Jamison.

6 COMMISSIONER JAMISON: Present.

7 MS. FRANKS: Commissioner Hale.

8 COMMISSIONER HALE: Present.

9 MS. FRANKS: Commissioner Howard.

10 COMMISSIONER HOWARD: Present.

11 MS. FRANKS: Chairman Shurin.

12 CHAIRMAN SHURIN: Present.

13 EXECUTIVE DIRECTOR SEIBERT: Mr. Chair,

14 we will revisit Item B, Section M, under

15 Consideration of Licensure Level I/Key Applicants.

16 CHAIRMAN SHURIN: Okay. The Chair will

17 entertain a motion with regard to Commission

18 Resolution 15-033.

19 COMMISSIONER JAMISON: I move adoption

20 of Resolution Number 15-033 with the deletion of

21 David Jen Hayes, II, from that resolution. His

22 application will be considered at our next

23 Commission meeting.

24 CHAIRMAN SHURIN: Do I have a second?

25 COMMISSIONER NEER: I'll second.

1 CHAIRMAN SHURIN: Any discussion on that
2 motion?

3 (No discussion.)

4 CHAIRMAN SHURIN: Okay, then please call
5 the roll for a vote.

6 MS. FRANKS: Commissioner Neer.

7 COMMISSIONER NEER: Approved.

8 MS. FRANKS: Commissioner Jamison.

9 COMMISSIONER JAMISON: Approved.

10 MS. FRANKS: Commissioner Hale.

11 COMMISSIONER HALE: Approved.

12 MS. FRANKS: Commissioner Howard.

13 COMMISSIONER HOWARD: Approved.

14 MS. FRANKS: Chairman Shurin.

15 CHAIRMAN SHURIN: Approved.

16 MS. FRANKS: By your vote, you've
17 adopted Resolution Number 15-033, as amended.

18 CHAIRMAN SHURIN: Okay. Is there any
19 further business to come before this Commission?

20 (No response.)

21 CHAIRMAN SHURIN: Is there a motion to
22 adjourn?

23 COMMISSIONER HOWARD: I'll make a motion
24 to adjourn the open meeting.

25 COMMISSIONER JAMISON: Second.

1 CHAIRMAN SHURIN: Angie, please call the
2 roll for a vote.

3 MS. FRANKS: Commissioner Neer.

4 COMMISSIONER NEER: Approved.

5 MS. FRANKS: Commissioner Jamison.

6 COMMISSIONER JAMISON: Approved.

7 MS. FRANKS: Commissioner Hale.

8 COMMISSIONER HALE: Approved.

9 MS. FRANKS: Commissioner Howard.

10 COMMISSIONER HOWARD: Approved.

11 MS. FRANKS: Chairman Shurin.

12 CHAIRMAN SHURIN: Approved.

13 MS. FRANKS: Okay.

14 CHAIRMAN SHURIN: Thank you all.

15 (The meeting was adjourned at 11:08 a.m.)

16

17

18

19

20

21

22

23

24

25

1 CERTIFICATE OF REPORTER

2 I, Pamela K. Needham, Certified Court Reporter,
3 Notary Public within and for the State of Missouri,
4 do certify that the witness whose testimony appears
5 in the foregoing deposition was duly sworn by me;
6 the testimony of said witness was taken by me to the
7 best of my ability and thereafter reduced to
8 typewriting under my direction; that I am neither
9 counsel for, related to, nor employed by any of the
10 parties to the action in which this deposition was
11 taken, and further, that I am not a relative or
12 employee of any attorney or counsel employed by the
13 parties thereto, nor financially or otherwise
14 interested in the outcome of the action.

15

16 -----

17 Pamela K. Needham, CSR, CCR
18 Illinois CSR No. 084-002247
Missouri CCR No. 505

19

20

21

22

23

24

25